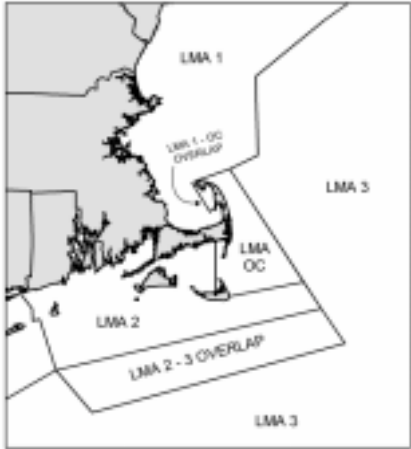


**COMMERCIAL LOBSTER CONSERVATION
MANAGEMENT AREAS**



LCMA BOUNDARIES

LCMA 1: Beginning at the MA/NH border, following the outer boundary of the territorial waters of NH and ME to the US/Canada border, thence to the intersection of LORAN C 9960-Y-44400 with the boundary of the US Exclusive Economic Zone (EEZ), thence to the intersection of 9960-Y-44400 with 70 [degrees] West Longitude, thence following the 70th meridian to its intersection with 9960-W-13700, thence following 9960-W-13700 to its intersection with 9960-Y-44120, thence following 9960-Y-44120 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 southeasterly to its intersection with 9960-Y-44110, thence following 9960-Y-44110 easterly to Race Point in Provincetown, thence following the MA shoreline back to the beginning.

LCMA 1/2 Overlap: The Cape Cod Canal, from the Massachusetts Maritime Academy pier at the southern end to the end of the east breakwater on the northern end. Fishermen from either LCMA 1 or LCMA 2 may fish in the overlap zone under the rules of the area(s) endorsed on their permits.

LCMA 2: Beginning at the shoreline of Harwich, following the 70 [degrees] five minutes West Longitude south through the Island of Nantucket to its intersection with 9960-Y-43780, thence following 9960-Y-43780 easterly to its intersection with 9960-W-13700, thence following 9960-W-13700 southerly to its intersection 9960-W-14610, thence following 9960-14610 northerly to the outer boundary of NY territorial waters, thence following the outer boundary of the territorial waters of NY and RI to the MA/RI boundary, thence following the MA/RI and boundary to the shoreline, thence following the shoreline of MA back to the beginning.

LCMA 2/3 Overlap: Fishermen from either Area 2 or Area 3 may fish in an area bounded as follows under their respective LCMA rules:

Beginning at the intersection of 9960-W-13700 and 9960-Y-43700, thence westerly along the 43700 line to the intersection with 9960-W-14610, thence southwesterly along a line whose extension reaches the intersection of 9960-Y-43500 with 9960-X-26400 to 9960-Y-43600, thence easterly along the 43600 line to 9960-W-13700, thence northwesterly along the 13700 line to the beginning.

LCMA 3: All waters of EEZ seaward of LCMA 1, OC, 2, 4, 5, and 6.

Outer Cape Cod (OCC): Beginning at Race Point in Provincetown, following 9960-Y-44110 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 northwesterly to 9960-Y-44120, thence following 9960-W-44120 easterly to its intersection with 9960-W-13700, thence following 9960-W-13700 southerly to 9960-Y-43780, thence following 9960-Y-43780 westerly to its intersection with 70 [degrees] five minutes West Longitude, thence following 70 [degrees] five minutes West Longitude north through Nantucket Island to the shoreline of Harwich, thence following the shoreline of Cape Cod east and north back to the beginning.

OCC/LCMA 1 Overlap: Beginning at Race Point in Provincetown, following 9960-Y-44110 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 southeasterly to its intersection with 9960-X-25330, thence following 9960-X-25330 northeasterly to the shoreline of Great Island in Wellfleet, thence following the shoreline northerly back to the beginning. Fishermen endorsed for either LCMA 1 or OCLMA may fish in the overlap zone under the rules of the area(s) endorsed on their permits.

RECREATIONAL LOBSTER MANAGEMENT AREAS

Gulf of Maine Recreational Lobster Area means those state waters north of Cape Cod Bay to the New Hampshire border including waters of the Cape Cod Canal but not those waters within the Southeastern Recreational Lobster Area.

Southeastern Recreational Lobster Area means those state waters south and east of Cape Cod including waters of Buzzards Bay, Vineyard Sound, Nantucket Sound. In addition this Area further includes certain waters within the town of Provincetown and Truro shoreward of a line drawn from the territorial seas line northwest of race Point at 42 degrees 7 minutes latitude and 70 degrees 16 minutes longitude south to the Race Point Buoy then southeast to the Wood End Buoy and east to the shoreline at 42 degrees 01.32 minutes latitude and 70 degrees 05.26 minutes longitude.



AREA/SEASON CLOSURES

(No landing of lobster Feb 1 - Apr 30 from 8:00 PM - 6:00 AM)

<u>LOCATION</u>	<u>DURATION</u>
Fish Weir Buffer Zone within the area marked by anchor buoys.	Year-round
Greater New Bedford Harbor north of a line from Rickatson's Point (Dartmouth) to Wilbur Point (Fairhaven)	Year-round
Eastern portion of the Upper Cape Cod Bay Whiting Area	Sep 1 – Oct 31

LOBSTER/CRAB PERMITS

To sell lobster and crabs, a commercial lobster/crab permit is required. Minors under seventeen (17) years of age must have the written consent of a parent or guardian to obtain a lobster permit.

A non-commercial lobster permit endorsed for diving is required of all individuals who recreationally dive for lobster in coastal waters. It also allows the holder to take edible crabs. No permit is required to take edible crabs (includes blue crab) for use by immediate family, provided that the number of crabs does not exceed fifty (50) in one day and that no pots or traps are used.

Annual catch reports are required of all lobster permit holders. These forms are provided by DMF and are also available online at www.mass.gov/marinefisheries.

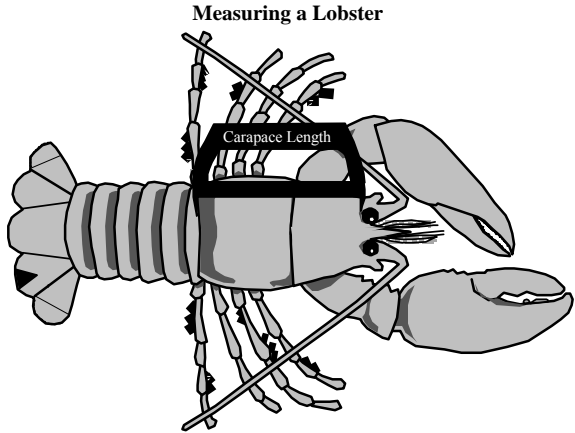
LOBSTER & CRAB FISHING REGULATIONS

<u>Species</u>	<u>Closed Season</u>	<u>Minimum Size(1,2)</u>
Lobster	----	see matrix below
Blue Crab	Jan.1 - April 30	4 7/8" (2)
Edible Crabs	Jan.1 - April 30	-----

	<u>LCMA 1 & Gulf of Maine Recreational Lobster Area</u>	<u>LCMA 2, 3, OCC, & Southeastern Recreational Lobster Area</u>
Lobster Minimum Size	3 1/4"	3 3/8"
Lobster Maximum Size	5"	---

(1) Carapace length measured from rear of eye socket parallel to the center line of the body shell to the rear of the body shell. All lobsters measuring less than the minimum legal carapace length must be immediately returned to the waters from which taken. All lobsters must be measured immediately, prior to surfacing for those taking lobster by diving methods (see below).

(2) Blue Crabs are measured across the shell from tip to tip of the posterior-most, longest spines along the lateral margins of the carapace.



RECREATIONAL POSSESSION LIMIT: Non-commercial lobster fishermen are prohibited from possessing more than 15 lobsters per day.

V-NOTCH RULES

Requirement to V-notch female lobsters: LCMA 1 commercial fishermen are required to carve a v-shaped notch in any egg-bearing female lobster at least 1/4" and not greater than a 1/2" in depth and tapering to a sharp point in the flipper next to and to the right of the center flipper as viewed from the rear of the female lobster when underside is down. LCMA 2, 3, and OCC commercial fishermen and all recreational fishermen are not required to v-notch egg-bearing female lobsters.

Rules pertaining to possession of a v-notched female lobster: LCMA 1 & recreational fishermen fishing, landing or transiting the Gulf of Maine Recreational Lobster Area: "ZERO TOLERANCE" applies. Fishermen may not possess a female lobster with a "v-shaped notch" of any size with or without setal hairs; LCMA 2, 3, OCC, recreational fishermen fishing, landing or transiting the Southeastern Recreational Lobster Area & dealers: may not possess a female lobster if it possesses a "v-shaped notch" defined as a straight-sided triangular cut, without setal hairs, at least 1/4" in depth and tapering to a point.

Fur the purpose of complying with v-notch regulations, the flipper right of the center flipper will be examined when the underside of the lobster is down and its tail is toward the person making the determination.

It is prohibited to possess a female lobster that is mutilated in a manner that could hide, obscure or obliterate a v-shaped notch.

LOBSTER GEAR

Wooden lobster buoys may not be used.

All commercial buoys and traps must be marked with licensee's 4-digit permit #, burned or cut into the surface at least 1/2" high x 1/8" thick, commercial wire traps are exempt from this requirement. Buoys must be painted with licensee's approved color scheme. Commercial fishermen must attach an approved official trap tag to be affixed to the central bridge or cross member of each trap. Non-commercial traps and lobster cars must bear the letter "N" followed by the fisherman's license number. All non-commercial buoys must be marked with the letter "N" prior to the 4-digit permit # and a dash with a single digit (0-9) indicating the sequential pot number.

Before any buoy, pot, trap or lobster car is sold, transferred or given away, the owner must burn or cut the letter "T" after his old permit #. The new owner shall than burn or cut his permit # on the buoy, trap or lobster car.

All Lobster traps, with the exception of traps constructed entirely or partially of wood as noted in CMR 6.02, must contain a ghost panel or other mechanism which is designed to create an opening to allow escapement of lobsters within 12 months after a trap has been abandoned or lost, with the following specifications:

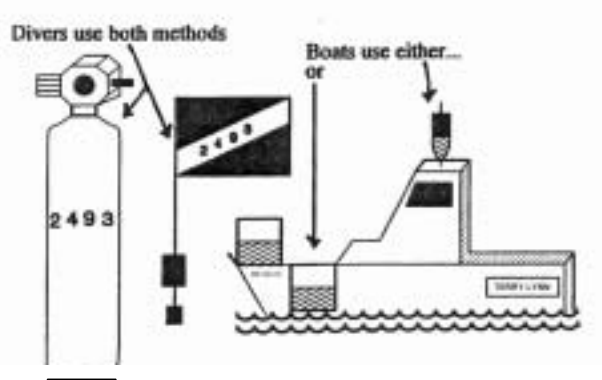
- The rectangular opening covered by the panel must be at least 3-3/4" x 3-3/4"
- The panel must be constructed of, or fastened to the trap with one of the following untreated materials: wood lath; cotton, hemp, sisal or jute twine not greater than 3/16" in diameter; or non-stainless, uncoated ferrous metal not greater than 3/32" in diameter.
- The door of the trap may serve as the escape panel if fastened with one of the specified materials.
- The escape panel must be located in the parlor(s) of the trap, but may not be on the bottom.

All lobster traps must have one or more unobstructed rectangular escape vents or two or more unobstructed round openings in the parlor sections(s) of the trap which conform to the following area-specific minimum sizes:

	<u>LCMA 1 & Gulf of Maine Recreational Lobster Area</u>	<u>LCMA 2, 3, OCC & Southeastern Recreational Lobster Area</u>
<u>Rectangular</u>	1 15/16" x 5 3/4"	2" x 5 3/4"
<u>Two circular</u>	2 7/16"	2 1/2"

The maximum volume of lobster pots is 22,950 cubic inches.

GEAR MARKING



Boats for lobstering must display the licensee's buoy colors on each side of the hull (or upon panels attached to each side of the hull), or upon a single panel attached to the top of the bow or by mounting a buoy at least 11" long, 4" diameter with licensee's colors, upright, at least 6" above the roof of the boat. Color scheme on hull or panels must be a solid color strip 4" high, 18" wide. The rectangle or square resulting must be bordered on all sides with a black strip at least 1" wide.

Divers must display their assigned number upon their air tank and a floating marker (upright single panel, at least 12" x 12", white background, black numerals at least 3" high, 1/2" in thickness or width of line on both sides of the marker). A group of divers may use only one floating marker listing the license number of each diver in the group.

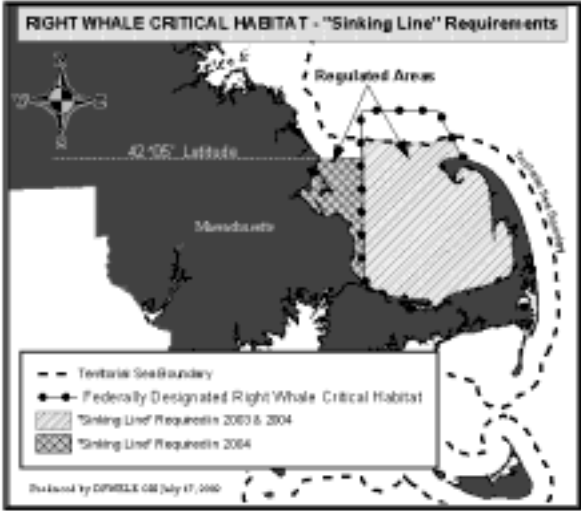
WHALE PROTECTION RULES

Year-round gear restrictions in all state waters. Any lobster pots fished in any waters of the Commonwealth must be rigged with at least one of the following configurations: 1) all buoy lines attached to the buoy with a weak link of 600 lbs. breaking strength, 2) Groundlines composed of negatively buoyant line, or 3) All buoy lines composed entirely of negatively buoyant line.

Year-round gear restrictions in Cape Cod Bay. Groundlines composed of negatively buoyant line.

Cape Cod Critical Habitat gear restrictions (from Jan 1 – May 15):

- 1) 500-lb breakaway link on buoy line required
- 2) lines between traps must be negatively buoyant
- 3) single pots prohibited, must be at least 4-pot trawls with two buoy lines or two-pot “doubles” with just one buoy line
- 4) buoys must be marked with “twin orange markers”
- 5) unlawful to mark fixed gear as required in [CMR 4.13] if pots are not properly rigged with features required in [CMR 12.05]
- 6) floating line may be used on lower one-third of buoy line



LOBSTER PROHIBITIONS

It is illegal for anyone, except the owner, to handle, destroy or molest any lobster or crab pot or other fishing gear, including any gear swept upon the shore, beaches or flats whether public or private, or to take fish therefrom.

Taking of lobsters and crabs from one-half hour after sunset to one-half hour before sunrise is strictly prohibited.

Spearing, dipping or dragging for lobsters is prohibited.

Removal of eggs from lobsters is prohibited. Egg-bearing lobsters or lobsters from which eggs have been removed must be immediately returned alive to the waters from which taken.

Mutilation of any lobster which affects its measurement or the possession of lobster parts shall be prima facie evidence that the lobster was less than the legal minimum size.

Taking v-notched female lobsters is strictly prohibited. V-notched female lobster must be immediately returned alive to the waters from which taken.

The catch of finfish and conch by commercial lobster fishermen must not exceed the catch of lobster by weight, else a regulated fish pot fishery permit is required.

<u>PERMIT FEES</u>			
Commercial Permits:	Coastal Lobster	Resident	Non-Res.
	Offshore Lobster/99+	\$260	N/A
	Seasonal Lobster	\$260	\$520
	Coastal Lobster Transfer fee	\$65	\$130
		\$50	
Special Permits:	Non-commercial lobster	\$40	\$60*
Dealer Permits:	Wholesale Dealer	\$130	\$260
	Wholesale Broker	\$130	\$260
	Wholesale Truck	\$130	\$260
	Retail Store	\$65	\$130
	Retail Truck	\$65	\$130
	Retail Boat		\$65
\$130	Bait Dealer	\$65	\$130
All Duplicates:		\$5	\$7

* Non-residents may obtain this permit if they own at least \$5,000 in MA real-estate, and temporarily reside in a MA coastal city or town.

FISHERMAN PERMITS

All persons who land and sell finfish, shellfish, lobsters, edible crabs or other living marine resources in Massachusetts must have a commercial fisherman permit from DMF and must sell only to licensed Massachusetts dealers. All commercial permits, except Rod & Reel and Seasonal lobster, may be endorsed for shellfish at no additional cost.

Coastal Lobster Permit allows the taking, landing and sale of lobsters (to a licensed dealer) harvested from within the coastal waters of the Commonwealth. There is a maximum of 800 lobster pots per vessel that may be set in state waters. Additional individual trap limits apply within OCC. The permit may be endorsed to take and sell shellfish and finfish at no additional cost. In the case of skin or scuba divers, only the licensee is covered.

Offshore Lobster Permit allows the landing and sale of lobsters (to a licensed dealer) taken outside of the coastal waters of the commonwealth only; pursuant to a federal lobster permit. The permit may be endorsed to take and sell shellfish and finfish at no additional cost.

Seasonal Lobster Permit is issued to full-time students only (verification required), and allows the licensee only to take and sell lobsters (to a licensed dealer) from June 15 - Sept. 15. A maximum of 25 pots may be used. Diving is not permitted, sale of finfish and/or shellfish is not permitted.

Noncommercial Lobster Permit is required to fish for or take lobsters and crabs for personal use. This authorizes the holder and members of the holders' immediate family, residing in the same residence, to fish for and take lobsters using 10-pots only. The immediate family is defined as the spouse, parents, children, grandparents, brothers and sisters of the holder. This permit may be endorsed for diving by the permit holder only. Other family members may purchase additional permits for diving only.

DEALER PERMITS

All persons engaged in the wholesale or retail trade of raw fish, shellfish, lobsters, or bait, whether frozen or unfrozen must have a Dealer permit from DMF and may be subject to inspection from the Department of Public Health. Shellfish dealers must check Food & Drug regulations for tagging and record keeping.

Duplicate Permit - all requests for duplicate permits must be received in writing stating the circumstances surrounding the loss of the original permit.

For further information on any license type, please contact the Licensing Office 617-626-1520. Applications are available on-line at www.mass.gov/marinefisheries.

PERMIT PROHIBITIONS

Transferring licenses and permits issued by the Director, unless specifically provided for.

Selling finfish, lobsters or shellfish without a commercial license and to anyone other than a licensed Massachusetts Dealer.

Commonwealth of Massachusetts <u>DIVISION OF MARINE FISHERIES</u>	
Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, MA 02114 (617) 626-1520	Annisquam River Marine Station 30 Emerson Avenue Gloucester, MA 01930 (978) 282-0308
Pocasset Office 50A Portside Drive Pocasset, MA 02559 (508) 563-1779	Martha's Vineyard Station P.O. Box 9 Vineyard Haven, MA 02568 (508)693-0060
Shellfish Purification Plant Plum Island Newburyport, MA 01950 (978) 465-3553	<u>LICENSING</u> 251 Causeway St., 1 st Floor Boston, MA 02114 (617) 626-1520

For further information on regulations, agency programs, fisheries research, and licensing (recreational lobster permits may be renewed online), please visit us online at www.mass.gov/marinefisheries.

Commonwealth of Massachusetts <u>DIVISION OF LAW ENFORCEMENT</u>	
Hewitts Cove Radio Room North Coastal Bureau Toll Free number	(617) 727-0882 (617) 727-6398 (978) 283-7764 1-800 632-8075

This pamphlet contains abstracts of some of the laws of interest to commercial and recreational lobster fishermen who utilize Massachusetts coastal waters. For more detailed information see Chapter 130 of the Massachusetts General Laws and Code of Massachusetts Regulations, Title 322.

The rules and regulations contained in this abstract are subject to change without notice and do not contain any emergency actions taken by *MarineFisheries*. Contact *MarineFisheries* for current regulations.

Commonwealth of Massachusetts

***ABSTRACT
of the
Massachusetts
Commercial & Recreational
Lobster Fishery
Regulations***

July 2004

**Paul J. Diodati,
Director**

Mitt Romney, Governor
Kerry Healey, Lieutenant Governor
Ellen Roy Herzfelder, Secretary
David M. Peters, Commissioner